

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 904260	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/010297	International filing date (day/month/year) 20.07.2004	Priority date (day/month/year) 23.07.2003
International Patent Classification (IPC) or national classification and IPC F25D19/00 , F25B9/00, 9/14, F25D11/00, F28D15/02		
Applicant SHARP KABUSHIKI KAISHA		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2.	This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.	
3.	This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>8</u> sheets, as follows: <div style="margin-left: 20px;"><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</div> b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) <div style="margin-left: 20px;">_____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</div>	
4.	This report contains indications relating to the following items: <div style="margin-left: 20px;"><input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application</div>	

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/010297

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:

- ☐ international search (Rule 12.3 and 23.1(b))
☐ publication of the international application (Rule 12.4)
☐ international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

☐ the international application as originally filed/furnished

☒ the description:

pages 2, 6, 8-26 as originally filed/furnished

pages* 1, 3-5, 7 received by this Authority on 20.05.2005

pages* _____ received by this Authority on _____

☒ the claims:

nos. 2-5, 7-10, 12-15 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* 1, 6, 11 received by this Authority on 20.05.2005

nos.* _____ received by this Authority on _____

☒ the drawings:

sheets Fig. 1-21 as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☒ the claims, nos. 16-24

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/010297

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-15</u>	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	<u>1-15</u>	NO
Industrial applicability (IA)	Claims	<u>1-15</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Document 1: JP 62-99097 A (Fujikura Ltd.), 25 March 1987; page 5, upper right column, line 3 to lower left column, line 9; fig. 5			
Document 2: WO 02/16836 A1 (Sharp Corp.), 28 February 2002; page 11, line 15 to page 13, line 26, fig. 5			
Document 3: JP 6-185245 A (Mitsubishi Electric Corp.), 5 July 1994; paragraph [0057]-[0058] and fig. 4-5			
Document 4: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 186429/1985 (Laid-open No. 93574/1987) (Fujikura Ltd.), 15 June 1987; page 3, line 15 to page 4, line 18, and fig. 1-2			
<p>The inventions set forth in claims 1, 2 and 4 do not involve an inventive step in the light of document 3 and document 1, cited in the international search report. A person skilled in the art could easily apply a pipe structure disclosed in document 1 in a device disclosed in document 3; and making the pipe diameter larger on the gas side is an option available at the discretion of a</p>			

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

person skilled in the art.

The inventions set forth in claims 3 and 5 do not involve an inventive step in the light of document 3 and document 1, and document 2, cited in the international search report. A person skilled in the art could easily apply a device disclosed in document 3 and a pipe structure disclosed in document 1 in a cooling system for a refrigerator disclosed in document 2.

The inventions set forth in claims 6, 7 and 9 do not involve an inventive step in the light of document 3 and document 1, and document 4, cited in the international search report. A person skilled in the art could easily apply a heat extractor structure disclosed in document 4 in a device disclosed in document 3.

The inventions set forth in claims 8 and 10 do not involve an inventive step in the light of documents 1-4. A person skilled in the art could easily apply a device disclosed in document 3, a pipe structure disclosed in document 1 and a heat extractor disclosed in document 4 in a cooling system for a refrigerator disclosed in document 2.

The inventions set forth in claims 11, 12 and 14 do not involve an inventive step in the light of document 3 and document 1, and document 4, cited in the international search report. A person skilled in the art could easily apply a heat extractor structure disclosed in document 4 in a device disclosed in document 3, and connect split evaporators.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

The inventions set forth in claims 13 and 15 do not involve an inventive step in the light of documents 1-4. A person skilled in the art could easily apply a device disclosed in document 3, a pipe structure disclosed in document 1 and a heat extractor structure disclosed in document 4 in a cooling system for a refrigerator disclosed in document 2.